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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,129	04/08/2004	Pascal Druzgala	ARYX-105X2C2	2462
20306	7590	07/19/2005	EXAMINER	
MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP			OWENS, AMELIA A	
300 S. WACKER DRIVE			ART UNIT	
32ND FLOOR			PAPER NUMBER	
CHICAGO, IL 60606			1625	

DATE MAILED: 07/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,129

Applicant(s)

DRUZGALA ET AL.

Examiner

Amelia A. Owens

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 17 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claims 1-3 are pending.

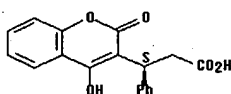
Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

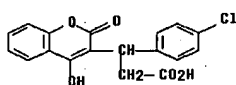
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

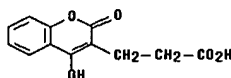
Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Ruan et al CA 131:303449. See abstract. Note X = aryl; Y is (CHR₃)_nCOOR₄; n = 1; R₃/R₄ = hydrogen.



Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Mascbuchi et al CA 59:75249 that teach compounds according to the invention. See abstract. Note X = aryl optionally substituted with halogen; Y is (CHR₃)_nCOOR₄; n = 1; R₃/R₄ = hydrogen.



Claims 1-2, are rejected under 35 U.S.C. 102(b) as being anticipated by Avetisyan et al CA 128:748885 that teach compound according to the invention. See abstract. Note X = hydrogen; Y is (CHR₃)_nCOOR₄; n = 1; R₃/R₄ = hydrogen.



Claims 1, 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Zhao et al that teach compound according to invention. See page 243 Table 1 3rd appearing compound where X

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is R2 and Y is aryl; page 244, Table 3 compound no. 21 where X is R2 and Y is aryl, specifically naphthyl.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Schmitt et al USP 3,325,515 that teach compounds according to the invention which have anticoagulant properties. See column 1 lines 11-47; column 5 lines 57-64 and claim 1. See CA 66:115544.

Claims 1, 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Morgan et al CA 133:55643 that teach compound according to invention. See abstract note X is aryl; Y is (CHR₃)_nCOOR₄ where n is 1, R₃ is hydrogen, R₄ is alkyl (methyl).

Claims 1, 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Sullivan et al CA 38:5011 that teach compound according to invention. See abstract note X is hydrogen; Y aryl (phenyl).

Claims 1, 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Poetzsch et al CA 127:130379 that teach compound according to invention. See abstract note Y is aryl; X is alkyl (ethyl).

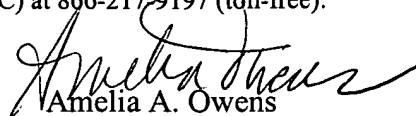
Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Cilag Ltd CA 51:5827 that teach compounds according to the invention. See abstract. Note X = aryl optionally substituted with halogen; Y is (CHR₃)_nCOOR₄; n = 1; R₃ = hydrogen; R₄ is alkyl (methyl).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amelia A. Owens whose telephone number is 571-272-0690. The examiner can normally be reached on Monday - Friday from 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang can be reached on 571-272-0562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Amelia A. Owens

Primary Examiner

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